

BAKER BOTTS LLP



09-07-04

#RCE
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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/044,076
Filing Date	January 11, 2002
First Named Inventor	H. Ufuk Alpay et al.
Group Art Unit	1756
Examiner Name	Mohamedulla, Saleha R.
Attorney Docket Number	064441.0223

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time - one-month

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2148
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) 09/07/2004 SDENBOR1 00000111 10044076
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 770.00 OP
- iii. ☒ Other Any additional charges under 37 CFR 1.16 and 1.117
- b. ☒ Check in the amount of \$ 770.00 and 110.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Paula D. Heyman	Registration No. (Attorney/Agent)	48,363
Signature		Date	Sept 3, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail No. EV351292990US in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313, on 09/04/2004.

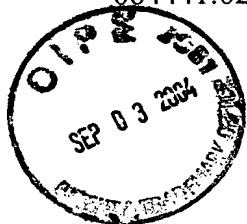
Name (Print/Type)	Angela Loding	Date	September 3, 2004
Signature			

Title: Damage Resistant Photomask Construction

Use Space Below for Additional Information:

ATTORNEY DOCKET
064441.0223

PATENT APPLICATION
10/044,076



1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: H. Ufuk Alpay et al.
Serial No.: 10/044,076
Date Filed: January 11, 2002
Group Art Unit: 1756
Examiner: Mohamedulla, Saleha R.
Title: **DAMAGE RESISTANT PHOTOMASK
CONSTRUCTION**

MAIL STOP – AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Angela Loding
Angela Loding

9-3-04
Date

Dear Sir:

REQUEST FOR CONTINUED EXAMINATION AND AMENDMENT

In response to the Final Office Action mailed May 5, 2004 and Advisory Action mailed August 4, 2004, Applicants respectfully submit the following amendments set forth below and requests favorable action thereon.

Amendments to Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.